

specify all of the figures, as for example, 3a, 3b, 6a and 6b.

Further, as requested by the Examiner a summary of the invention directed to display device has been added.

The drawings were objected to because Figs. 39B and 39C did not have an identification number. A Request for Correction of Drawings is enclosed in which the identifying label of VC is supplied. This identification is found in the Preliminary Amendment of May 23, 1991, at page 3, lines 21-25.

The Examiner contends that the fluorescent member is not indicated in Figs. 39A-39C. However, since Fig. 39A is a top view from the side of FP (face plate), the fluorescent member has not been expressed. However, in the Preliminary Amendment, in the discussion of Fig. 39A on page 3, lines 21-25, the fluorescent member is clearly described as located at the inner face of the face plate FP, and is therefore not shown. Accordingly, the phosphor is located above the electron emitting device. Page 6, lines 16-18 of the Preliminary Amendment describes the electrons impinging on the phosphor, whereby the fluorescent member is excited.

Claims 67-132 were rejected under 35 U.S.C. § 112 for the reasons stated. Claim 67 has been amended to recite a face plate in the display device and the phosphor located within said face plate.

Claim 96 has been cancelled, thereby rendering the rejection moot. Claims 117-124 and 125-132 were amended as kindly suggested by the Examiner to provide the proper antecedent basis and to change the plural "devices" to -- device.

Since the § 112 rejections have been addressed, it is respectfully requested that the s112 rejection be withdrawn.

Claims 67-99, 101 to 107 and 109 to 116 were rejected under the judicially created doctrine of obviousness-type double patenting as obvious over claims 1-38 and 40-49 of U.S. Patent 5,066,883 (Yoshioka) in view of Klopfer.

The present invention utilizes an electron-emitting device in a planar display device in which the electron-emitting device is mounted in a single plane and electrons emitted by applying a voltage are accelerated to stimulate phosphors to effect light emission. Yoshioka does not claim or teach or suggest having a display device with an emission electron device in which electrons impinge on a fluorescent member located above the electron emitting device in the display device, and thus excite the fluorescent member. Koplter teaches a cathode assembly as an electric discharge tube. Koplter does not teach the display device with the electron emitting device of the present invention. There would be no motivation for one of ordinary skill in the art

to apply the teachings of Kopler to the disclosure of Yoshioka to produce the present invention using the electron excitement of the fluorescent member by the electron emission device.

In view of the above, reconsideration of the claims and allowance of the application is earnestly solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 758-2400 or by facsimile at (212) 758-2982. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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